



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'07 MJ 8849

UNITED STATES OF AMERICA,
Plaintiff,
vs.
Feliciano LOZA-Salazar,
Defendant.

Magistrate Case No.:
COMPLAINT FOR VIOLATION OF
21 U.S.C. § 952 and 960
Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

That on or about October 13, 2007, within the Southern District of California, defendant Feliciano LOZA-Salazar did knowingly and intentionally import approximately 32.84 kilograms (72.24 pounds) of marijuana a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Diana Lacuesta, Special Agent
Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 15TH,
DAY OF OCTOBER 2007.


PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

This statement of facts is based on the reports, documents, and notes furnished to Immigration and Customs Enforcement Special Agent Diana Lacuesta.

On October 13, 2007, at approximately 0743, Feliciano LOZA-Salazar entered the United States from the Republic of Mexico at the Calexico East, Port of Entry. LOZA was the driver and sole occupant of a 2002 Dodge Neon bearing Baja California, Mexico, license plate BDT7451.

At Primary Inspection, LOZA gave a negative Customs Declaration to Customs and Border Protection (CBP) Officer Chong. Officer Chong referred the vehicle to Vehicle Secondary after observing LOZA's hand shaking as he handed the officer the vehicle registration.

In Secondary, CBP Officer Aguirre obtained a negative declaration from LOZA. CBP Canine Officer Garcia utilized his assigned Narcotic Detector Dog (NDD) to search LOZA's vehicle. The NDD alerted to the odor of narcotics emitting from the dashboard air vents of the vehicle.

The examination of the vehicle resulted in the discovery of a total of 25 packages, wrapped in brown plastic tape, concealed in the dashboard and rocker panels. A presumptive chemical test indicated the contents of these packages to be marijuana. The total weight of the packages was approximately 32.84 kilograms.

LOZA was notified of his arrest and advised of his Miranda Rights, in the Spanish language, which he acknowledged and waived. During the interview, LOZA admitted knowledge of the marijuana in the vehicle. LOZA admitted he was to be paid \$1,300.00 U.S. dollars for this smuggling venture.

Executed on October 13, 2007, at 1509 hours.

[Signature]
SPECIAL AGENT

On the basis of the facts presented in the attached probable cause statement consisting of 2 pages, I find probable cause to believe that the defendant named in this probable cause statement committed the offense on October 13, 2007, in violation of Title 21, United States Code, Sections 952 and 960.

[Signature]
United States Magistrate Judge

10/13/07, 1950 hrs
Date/Time